IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2487 OF 2004

Mrs. P. Sashivaram ... Petitioner

V/s

M/s Shalibhadra Traders & Ors. ... Respondents

Shri S. Garud with S.Jadhav for petitioner
Shri Ravindra Sharma for respondent No.1
Shri A.G. Gadkari,APP for the State.

Coram : V.M. Kanade, J.
Dated : 27/04/2005.

P.C. :-

1 The petitioner is challenging the order of issuance of process by the 30th Additional Chief Metropolitan Magistrate,Kurla, Mumbai in case No. 489/S/2003, 1700/S/2003, 1701/S/2003 and 1702/S/2003.

2 It submitted by the learned counsel appearing on behalf of the petitioner that the petitioner has resigned as Director before the cheque was issued by the company and, therefore,he is not liable to be prosecuted. Mr. Pradhan, learned counsel appearing on behalf of the company on instructions submits that when the complaint was filed the company was not aware that the petitioner hadresigned from the accused No.1 company. He submits that the name of

the

complainant/petitioner shall be deleted from the complaints. In the result, the criminal writ petition is allowed. The process issued against the petitioner in criminal complaint Nos. 489/S/2003, 1700/S/2003, 1701/S/2003 and 1702/S/2003 pending in the court of 30th Additional Chief Metropolitan Magistrate, Kurla, Mumbai are quashed and set aside. Criminal writ petition is allowed in the above terms. The trial court is directed to decide the criminal cases against other accused as expeditiously as possible, in any case within a period of six months.

(V.M. Kanade, J.)